

REMARKS

In the action of June 22, 2004, the examiner rejected claims 1,4, 6-9, 11-13 and 16-18 under 35 U.S.C. 103 as unpatentable over SU911076 (Guse) in view of Huff and rejected claims 22-25 under 35 U.S.C. 102 as anticipated by Huff. The examiner indicated that claims 5, 10, 14, 15, 19-21 and 27 contain allowable subject matter and would be allowed if rewritten in independent form.

In response, first note that claim 22 has been amended to include the limitations of claim 27, which was previously indicated to be allowable. Allowance of that claim and the claims dependent thereon is now respectfully requested.

Applicants have amended claim 1 to include all the limitations of original claim 2, and further submits a new claim 28 which includes all the limitations of previously presented claim 1 and previously presented claim 3. Both of those claims are believed to be allowable over the combination of Guse and Huff.

Guse is the primary reference cited by the examiner. It teaches a fixed link 3 which is secured to a member of some kind. It also teaches an auxiliary link 5 which is fixed to vertical rods 4. An actuator 8 is fixed to the auxiliary link 5. The actuator 8 extends upwardly from link 5 through an opening in a moving member 2. In operation, driving of moving member 2 results in a bending and twisting of rods 4, resulting in the driving of link 5 and actuator 8.

This is a different structural arrangement than set forth in independent claims 1 and 28. In claim 1, the first member is a lower ring member which substantially encircles a driving member. In contrast, driven actuator 8 of Guse (comparable to applicants' appliance driving member, according to the office action) is not encircled by the lower ring member 5. Guse has a particular drive arrangement in which the driven member 2 is a horizontal member located above the fixed link 5 and the first member 3. Note that in Guse there would be no motivation to have the first member 3 with an open center area. Hence, the combination of Guse and Huff for that purpose is illogical. In applicants' invention, it is the first, lower, member which has an open center area, to permit the appliance driving member to extend upwardly through the lower first member from below the first member. The driving member is secured to the upper disc member, which is movable.

This is quite a different structural arrangement than the

Guse structure and is particularly adapted for certain appliances like, for example, a power toothbrush. Hence, amended claim 1 is patentable over the combination of Guse and Huff. Since claims 4-21 are dependent on claim 1, those claims are also allowable.

Claim 28 combines the previously presented claim 1 with previously presented claim 3. In this arrangement, which is shown in Figure 3, the claimed first member is an upper ring member which substantially encircles the drive member and which is fixed to an appliance body member. The drive member extends to and is tightly fitted to a lower disc member, which moves with the driving member.

In Guse, actuator 8 extends through an opening in upper member 2, but member 2 is a moving member. It is not fixed to an appliance body member. It is the lower member 3 of Guse which is fixed to some structure 1, as discussed above. Accordingly, claim 28 is patentable over the combination of Guse and Huff.

In view of the above, allowance of the application is now respectfully requested.

Respectfully submitted,
JENSEN & PUNTIGAM, P.S.

By Clark A. Puntigam
Clark A. Puntigam, #25,763
Attorney for Applicant

CAP:smm
206 448-3200

Enclosures: Postcard